



Substitute House Bill No. 7276

Public Act No. 17-220

AN ACT CONCERNING EDUCATION MANDATE RELIEF.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-66q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) Not later than April 1, 2014, each regional educational service center shall develop a uniform regional school calendar [to be used] that may be adopted by each local or regional board of education in the area served by such regional educational service center, in accordance with the provisions of [subsections (b) and (c)] subsection (b) of this section. Such uniform regional school calendars shall be consistent with the guidelines for a uniform regional school calendar developed pursuant to section 321 of public act 13-247. Not later than April 1, 2014, each regional educational service center shall submit such uniform regional school calendar to the State Board of Education for approval. Not later than five days after such approval, such regional educational service center shall submit such approved uniform regional school calendar to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

(b) For the school [years] year commencing [July 1, 2014, and July 1,

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2015] July 1, 2017, and each school year thereafter, a local or regional board of education may adopt the uniform regional school calendar developed and approved pursuant to subsection (a) of this section.

[(c) (1) Except as provided in subdivision (2) of this subsection, for the school year commencing July 1, 2016, and each school year thereafter, each local and regional board of education shall use the uniform regional school calendar developed and approved pursuant to subsection (a) of this section.

(2) A local or regional board of education may delay implementation of the uniform regional school calendar until the school year commencing July 1, 2017, if such board of education has an existing employee contract that makes implementation of the uniform regional school calendar impossible.

(d) (1) Not later than July 1, 2014, the Commissioner of Education shall submit a report on the implementation of uniform regional school calendars and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

(2) Not later than January 1, 2015, and July 1, 2016, the Commissioner of Education shall submit a report on the implementation of uniform regional school calendars in those school districts that have adopted a uniform regional school calendar, pursuant to subsection (b) of this section, and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.]

[(3)] (c) Not later than [January 1, 2016, and] July 1, 2017, and

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annually thereafter, the Commissioner of Education shall submit a report on which boards of education have adopted the uniform regional school calendar and the implementation of such uniform regional school calendars, pursuant to subsection [(c)] (b) of this section, and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.

Sec. 2. Subsection (d) of section 10-233d of the general statutes, as amended by section 12 of public act 16-147, is repealed and the following is substituted in lieu thereof (*Effective August 15, 2017*):

(d) No local or regional board of education is required to offer an alternative educational opportunity, except in accordance with this section. Any pupil under sixteen years of age who is expelled shall be offered an alternative educational opportunity, which shall be [equivalent to] (1) alternative education, as defined by section 10-74j, with an individualized learning plan, if such board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education, pursuant to section 3 of this act, during the period of expulsion, provided any parent or guardian of such pupil who does not choose to have his or her child enrolled in an alternative educational [program] opportunity shall not be subject to the provisions of section 10-184. Any pupil expelled for the first time who is between the ages of sixteen and eighteen and who wishes to continue his or her education shall be offered such an alternative educational opportunity if he or she complies with conditions established by his or her local or regional board of education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least seventeen years of age in an adult education program pursuant to section 10-69. Any pupil participating in [an] any such adult education program during a

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period of expulsion shall not be required to withdraw from school under section 10-184. A local or regional board of education shall count the expulsion of a pupil when he was under sixteen years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he is between the ages of sixteen and eighteen. A local or regional board of education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required pursuant to this section.

Sec. 3. (NEW) (*Effective from passage*) Not later than August 15, 2017, the State Board of Education shall adopt standards for the provision of an adequate alternative educational opportunity, offered pursuant to subsection (d) of section 10-233d of the general statutes, as amended by this act. Such standards shall include, but need not be limited to, the kind of instruction and number of hours to be provided to a student enrolled in an alternative educational opportunity.

Sec. 4. (*Effective July 1, 2017*) (a) Not later than January 1, 2018, the Department of Education shall conduct a survey of local and regional boards of education and their use of digital school management and reporting software. The survey shall include questions relating to whether a local or regional board of education uses a digital school management and reporting software for the purposes of creating, submitting and sharing digital copies of education-related documents with the Department of Education and among authorized users, and whether such software (1) allows authorized users to create and submit a complete digital copy of education-related documents to the portal and share such digital copy with (A) the department, and (B) a local or regional board of education in a case where the student may transfer, (2) provides twenty-four-hour access for an unlimited number of authorized users to use the digital school management and reporting software, (3) allows local and regional boards of education to

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purchase additional programs to supplement the digital school management and reporting software, and (4) protects the privacy of students when any education-related document is created, submitted and shared using the digital school management and reporting software from unauthorized access, destruction, use, modification or disclosure in accordance with current industry standards.

(b) The department shall compile the results of such survey and submit a report on its findings to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes. Such report shall include any recommendations regarding the state-wide implementation of a uniform digital school management and reporting software based on the results of the survey concerning any such software that is currently used and successfully implemented by local and regional boards of education in the state.

(c) For the purposes of this section, "education-related documents" means a student's education records and any report required under title 10 of the general statutes, including, but not limited to, the strategic school profile report, as described in subsection (c) of section 10-220 of the general statutes, and data submitted for inclusion in the state-wide public school information system, pursuant to section 10-10a of the general statutes.

Sec. 5. Subsection (o) of section 10-236b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(o) (1) Each local or regional [school district] board of education shall provide training [to school professionals, paraprofessional staff members and administrators] regarding the physical restraint and seclusion of students to the members of the crisis intervention team for each school in the district, identified pursuant to subdivision (2) of this

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subsection. A local or regional board of education may provide such training to any teacher, as defined in section 10-144d, administrator, as defined in section 10-144e, school paraprofessional or other school employee, as defined in section 10-222d, designated by the school principal and who has direct contact with students. Such training shall be [phased in over a period of three years beginning with] provided during the school year commencing July 1, [2015] 2017, and each school year thereafter, and shall include, but not be limited to:

(A) An overview of the relevant laws and regulations regarding the use of physical restraint and seclusion on students [. Such] and the proper uses of physical restraint and seclusion. For the school year commencing July 1, 2017, and annually thereafter, such overview shall be provided by the Department of Education, [to all school professionals, paraprofessional staff members and administrators on or after July 1, 2015, and annually thereafter,] in a manner and form as prescribed by the Commissioner of Education;

(B) The creation of a plan by which each local [or] and regional board of education shall provide [school professionals, paraprofessional staff members and administrators with] training [and professional development] regarding the prevention of incidents requiring physical restraint or seclusion of students. Such plan shall be implemented not later than July 1, [2017, and shall include a provision to require the training of all school professionals, paraprofessional staff members and administrators in the prevention of such incidents not later than July 1, 2019] 2018. The Department of Education may, within available appropriations, provide ongoing monitoring and support to local or regional boards of education regarding the formulation and implementation of the plan; and

(C) The creation of a plan by which each local or regional board of education shall provide [school professionals, paraprofessional staff members and administrators with] training [and professional

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development] regarding the proper means of [physically restraining or secluding] physical restraint or seclusion of a student, including, but not limited to, (i) various types of physical restraint and seclusion; (ii) the differences between life-threatening physical restraint and other varying levels of physical restraint; (iii) the differences between permissible physical restraint and pain compliance techniques; and (iv) monitoring methods to prevent harm to a student who is physically restrained or in seclusion. Such plan shall be implemented not later than July 1, [2017, and shall include a provision to require the training of all school professionals, paraprofessional staff members and administrators in the proper means of physically restraining or secluding a student not later than July 1, 2019, and periodically thereafter as prescribed by the Commissioner of Education] 2018;

(2) [Not later than July 1, 2015] For the school year commencing July 1, 2017, and each school year thereafter, each local [or] and regional board of education shall require each school in the district to identify a crisis intervention team consisting of [school professionals, paraprofessional staff members and administrators who have been trained in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e] any teacher, as defined in section 10-144d, administrator, as defined in section 10-144e, school paraprofessional or other school employee, as defined in section 10-222d, designated by the school principal and who has direct contact with students. Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others. Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e on an annual basis. Each local and regional board of education shall maintain a list of the members of the crisis intervention team for each school.

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Sec. 6. Subsection (k) of section 10-222c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(k) For purposes of this section and section 10-221d, (1) "sexual misconduct" means any verbal, nonverbal, written or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature and any other sexual, indecent or erotic contact with a student; [and] (2) "abuse or neglect" means abuse or neglect as described in section 46b-120, and includes any violation of section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a; and (3) "former employer" means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education, governing council of a state or local charter school or interdistrict magnet school operator.

Approved July 11, 2017